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10 Attorneys for Defendants  
11 CITY OF OAKLAND, OAKLAND POLICE  
12 DEPARTMENT, WAYNE TUCKER,  
13 RAMON ALCANTAR

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

11 MIGUEL ORTEGA, BENJAMIN ORTEGA, A  
12 Minor, By And Trough His Guardian Ad  
13 Litem, ANA ROSA ORTEGA,

14 Plaintiff,

15 v.

16 CITY OF OAKLAND, a municipal  
17 corporation; OAKLAND POLICE  
18 DEPARTMENT, WAYNE TUCKER, in his  
19 capacity as Chief of Police for the CITY OF  
20 OAKLAND, OFFICER RAMON J.  
21 ALCANTAR, individually and in his capacity  
as employee of the CITY OF OAKLAND; and  
Does 1-25, inclusive,

22 Defendants.

Case No. C-07-02659 JCS

**DEFENDANTS CITY OF OAKLAND,  
OAKLAND POLICE DEPARTMENT,  
WAYNE TUCKER AND RAMON  
ALCANTAR'S INITIAL DISCLOSURES  
PURSUANT TO F.R.C.P. 26**

22 Pursuant to Federal Rule of Civil Procedure 26, Defendants CITY OF  
23 OAKLAND, OAKLAND POLICE DEPARTMENT, WAYNE TUCKER and RAMON J.  
24 ALCANTAR submit the following initial disclosures:

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1 (A) WITNESSES

2 The following is a list of witnesses and potential witnesses to the matters  
3 concerning some or all of the events alleged in plaintiff's complaint. These persons may  
4 be contacted through the Oakland City Attorney's Office, counsel for defendants:  
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- 6 1) Officer R. Alcantar – Will testify concerning the incident alleged in the  
7 complaint.
- 8 2) Officer B. Ortiz – Will testify concerning the incident alleged in the  
9 complaint.
- 10 3) Officer Sgt. M. Reilly - Will testify concerning the incident alleged in the  
11 complaint.
- 12 4) Officer R. Vass – Will testify concerning the incident alleged in the  
13 complaint.
- 14 5) Officer T. Mork – Will testify concerning the incident alleged in the  
15 complaint.
- 16 6) Chief Wayne Tucker – Will testify concerning the policies and practices  
17 of the Oakland Police Department concerning hiring, training, and  
18 supervision of officers.
- 19 7) Capt. R. Orozco - Will testify regarding officers' assignments,  
20 coordination, and crowd and traffic control the day of the alleged  
21 incident.
- 22 8) Officer A. Hall – Will testify concerning the investigation of the incident  
23 alleged in the complaint.  
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**Witnesses relevant to OPD Police Officer Training, Supervision and Discipline**

The following individuals are witnesses relevant to Oakland Police Department training, discipline, supervision and policies and can be reached through the Oakland City Attorney's Office:

- 9) Lietenant Brian Medeiros
- 10) Captain Eric Breshears

**Other Witnesses:** The following persons may have witnessed all or part of the events leading up to or following the plaintiff's detainment:

- 11) Plaintiff Miguel Ortega
- 12) Plaintiff Benjamin Ortega

**(B) DESCRIPTION OF DOCUMENTS**

- 1) Oakland Police Department Internal Affairs File No. 06-0902 (privileged and subject to protective order);
- 2) Computer Assistance Dispatch Purge Printout (CAD);
- 3) CD copy of dispatch radio transmissions for subject incident;
- 4) Oakland Police Department Report Writing Manual (dated December, 1993);
- 5) Oakland Police Department's General Order K-4.1, "Force Review Board" (dated February 17, 2006);
- 6) Oakland Police Department's "Use of Force Handbook" (dated February 17, 2006);

**(C) COMPUTATION OF DAMAGES**

Defendants are unaware of any computation of damages by plaintiff:

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1 **(D) INSURANCE AGREEMENTS**

2 1) Defendant City of Oakland is permissibly self-insured and has an excess  
3 liability policy for losses up to twenty – five million dollars (\$25,000,000.00), with a two  
4 million (\$2,000,000.00) self-insured retention.

5 2) California State Association of Counties- Excess Insurance Authority  
6 (CSAC-EIA) #EIA 02 GL II.

7 DATED: September 19, 2007

8 JOHN A. RUSSO, City Attorney  
9 RANDOLPH W. HALL, Chief Assistant City Attorney  
10 JAMES F. HODGKINS, Supervising Trial Attorney  
11 CHARLES E. VOSE, Senior Deputy City Attorney

12 By: 

13 Attorneys for Defendants  
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